
Department for Constitutional Affairs

Introduction

RfR1: To promote the development of a modern, fair, cost effective and efficient system of justice for all

1. RfR1 covers the cost of the Department for Constitutional Affairs and eight associated offices (the Council on Tribunals; Law Commission, Legal Services Ombudsman; Legal Services Complaints Commissioner; Office of Court Funds, Official Solicitor and Public Trustee; Her Majesty's Inspectorate of Court Administration; Office of the Judge Advocate General and the Judicial Studies Board; and payments to the General Commissioner of Income Tax in Great Britain and Northern Ireland, Her Majesty's Courts Service, the administration of private monies through the Public Guardianship Office, grants to the Criminal Defence Service and Community Legal Service, including the administrative grant in aid paid to the Legal Services Commission., grant in aid paid to the Office of the Information Commissioner, grant in aid paid to the Judicial Appointments Commission, the Tribunals Service.
2. It covers the cost of administration for the Judicial Pensions Scheme Supply Estimate. The full cost of this administration is offset by appropriations in aid received from the scheme.
3. It covers the provision for the cost of acquitted defendants, private prosecution costs and witnesses' allowances payable from central funds and specific grants towards the costs of magistrates' courts, which are largely paid in advance of final audited claims.
4. The salaries of the higher judiciary and stipendiary magistrates are met directly from the Consolidated Fund. This expenditure is estimated at £88 million for 2007-08.

RfR2: Overseeing the effective operation of the devolution settlement in Scotland and representing the interest of Scotland within the UK Government

5. RfR2 provides for the administration costs of the Scotland Office and the Office of the Advocate General for Scotland, the salaries of the Parliamentary Under -Secretary of State for Scotland and the Advocate General for Scotland, the costs of the Boundary Commission for Scotland and a grant to the Scottish Consolidated Fund.

RfR3: To support the Secretary of State in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales

6. RfR3 provides for the administration costs of the Wales Office, the salary of the Parliamentary Under-Secretary of State for Wales, and for payments to the Welsh Consolidated Fund.
7. Further details of the expenditure contained in this Estimate can be found in the Department for Constitutional Affairs Departmental Report 2007 (Cm 7097), the Scotland Office Annual Report 2007 (Cm 7109), the Wales Office Annual Report 2007 (Cm 7110).
8. Symbols are explained in the introduction to this booklet.

Department for Constitutional Affairs

Part I

	£
Request for Resources 1: To promote the development of a modern, fair, cost effective and efficient system of justice for all	3,899,645,000
Request for Resources 2: Overseeing the effective operation of the devolution settlement in Scotland and representing the interests of Scotland within the UK Government	24,620,161,000
Request for Resources 3: To support the Secretary of State in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales	11,863,739,000
Total net resource requirement	40,383,545,000
Net cash requirement	40,256,195,000

Amounts required in the year ending 31 March 2008 for expenditure by the Department for Constitutional Affairs on:

RfR 1: To promote the development of a modern, fair, cost effective and efficient system of justice for all

HQ and associated offices; administration of the Judicial Pension Scheme; HM Courts Service as formed under the Courts Act 2003 and associated activities including fine income netting off and asset recovery incentive scheme, pre-1990 loan charges debt payments, Justices Clerks' Societies, grants in relation to the Debt Programme and Better Dispute Resolution project, Wider Markets Initiatives; Section 31 grants to Local Authorities; the Public Guardianship Office; Official Solicitor and Public Trustee; Courts Funds Office; Legal Aid paid through the Criminal Defence Service and Community Legal Service; administration for the Legal Services Commission; the Legal Service Complaints Commissioner and the Legal Services Ombudsman; claims management regulation; administration of the Office of the Information Commissioner; administration of central government tribunals via the Tribunals Service (including Asylum); costs paid from central funds; the Appellate Committee of the House of Lords and the Judicial Committee of the Privy Council; charge fees as set out in its governing legislation; policy on charging and accounting for any fees collected by the Tribunals Service; payments to HM Land Registry; costs in relation to constitutional offices; democracy and constitution costs in relation to policy formulation; human rights workshops and surveys; promotion of information rights through advertising and formal education; electoral policy; research into constitution settlement/devolution; European and international judicial policy; EU Presidency events; Judicial Exchange programmes; research on behalf of the British Institute of International and Competition Law; Constitutional education programmes within schools; costs in relation to the policy on the conduct of all national elections and referendums in the UK and local elections; referendums in England and Wales (except mayoral Referendums in Wales) as provided under the Representation of the People (RPA) Acts and the

Part I

Political Parties, Elections and Referendums Act 2000 and the European Parliament (Representation) Act 2003; proposals under the Electoral Administration Bill, including the establishment and maintenance of the Co-ordinated on-line record of Electors (CORE); supporting data quality work; funding of voting pilots, including electronic voting, all-postal voting, e-counting, other electronic pilots, administrative pilots and any supported development activities associated with electoral modernisation; policy on coroner and cremation services; applications for exhumations, cremating repatriated remains and the closing of burial grounds as provided under Coroners Act 1988, the Coroners Rules 1984 and Local Government Act 1972 applications for exhumations; the Judicial Appointments Commission; other legal services; joint initiatives in the Criminal Justice System; and associated non-cash items.

RfR 2: Overseeing the effective operation of the devolution settlement in Scotland and representing the interests of Scotland within the UK Government

Administration; the Boundary Commission for Scotland; the Commission on Boundary Differences and Voting Systems in Scotland; payments of a grant to the Scottish Consolidated Fund; and associated non-cash items.

RfR 3: To support the Secretary of State in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales

Administration; Lord Lieutenants' expenditure; payments of a grant to the Welsh Consolidated Fund; and associated non-cash items.

The **Department for Constitutional Affairs** will account for this Estimate.

	Net total	Allocated in Vote on Account	Balance to complete
RfR 1	3,899,645,000	1,706,673,000	2,192,972,000
RfR 2	24,620,161,000	10,197,072,000	14,423,089,000
RfR 3	11,863,739,000	5,482,947,000	6,380,792,000
Total net resource requirement	40,383,545,000	17,386,692,000	22,996,853,000
Net cash requirement	40,256,195,000	17,346,494,000	22,909,701,000

Part II: Subhead detail

£'000

2007-08 Provision						2006-07 Provision	2005-06 Outturn		
Resources						Capital	Non- operating	Net Total	Net Total
Admin	Other Current	Grants	Gross Total	A in A	Net Total	Capital	A in A	Resources	Resources
1	2	3	4	5	6	7	8	9	10
RfR 1: To promote the development of a modern, fair, cost effective and efficient system of justice for all									
519,308	1,791,105	2,159,874	4,470,287	570,642	3,899,645	166,869	33,000	3,842,499	3,734,564
Spending in Departmental Expenditure Limits (DEL)									
<i>Central Government spending</i>									
A	Headquarters and Associated Offices								
368,224	68,560	75	436,859	4,392	432,467	67,509	-	486,504	613,022
B	Judicial Pensions Administration								
412	-	-	412	400	12	-	-	1	-
C	HM Courts Service								
32,000	1,450,110	-	1,482,110	520,980	961,130	95,800	33,000	839,647	783,719
D	Public Guardianship Office								
18,370	-	-	18,370	17,270	1,100	1,000	-	2,143	-359
E	Costs from Central Funds								
-	45,000	-	45,000	-	45,000	-	-	74,660	69,201
F	Tribunals Service								
99,787	227,435	-	327,222	27,600	299,622	2,560	-	284,638	157,354
G	Princess of Wales Inquest								
515	-	-	515	-	515	-	-	515	-
<i>Support for Local Authorities</i>									
<i>CORE Capital Grants to Local Authorities</i>									
-	-	-	-	-	-	-	-	10,800	441
Non-Budget									
H	Legal Services Commission: Administration								
-	-	116,800	116,800	-	116,800	-	-	102,000	105,480
I	Criminal Defence Service								
-	-	1,172,300	1,172,300	-	1,172,300	-	-	1,206,000	1,204,631
J	Community Legal Service								
-	-	860,000	860,000	-	860,000	-	-	823,035	795,975
K	Information Commissioner's Office								
-	-	4,999	4,999	-	4,999	-	-	5,555	5,100
L	Judicial Appointments Commission								
-	-	5,700	5,700	-	5,700	-	-	6,104	-

Part II: Subhead detail

£'000

								2006-07	2005-06
								Provision	Outturn
2007-08 Provision									
Resources						Capital Non-operating		Net Total	Net Total
Admin	Other Current	Grants	Gross Total	A in A	Net Total	Capital	A in A	Resources	Resources
1	2	3	4	5	6	7	8	9	10
<i>Boundary Commission for England</i>									
-	-	-	-	-	-	-	-	856	-
<i>Boundary Commission for Wales</i>									
-	-	-	-	-	-	-	-	41	-
RfR 2: Overseeing the effective operation of the devolution settlement in Scotland and representing the interests of Scotland within the UK Government									
7,433	300	24,613,393	24,621,126	965	24,620,161	100	-	22,896,922	20,871,750
Spending in Departmental Expenditure Limits (DEL)									
<i>Central Government spending</i>									
A	Scotland Office								
	4,608	-	-	4,608	240	4,368	100	4,444	3,639
B	Office of the Advocate General								
	2,825	-	-	2,825	725	2,100	-	2,100	1,845
C	Boundary Commission for Scotland								
	-	300	-	300	-	300	-	300	141
<i>Commission on Boundary Differences and Voting Systems in Scotland</i>									
	-	-	-	-	-	-	-	-	135
Non-Budget									
D	Grant payable to the Scottish Consolidated Fund								
	-	-	24,613,393	24,613,393	-	24,613,393	-	22,890,078	20,865,990
RfR 3: To support the Secretary of State in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales									
3,922	-	11,859,826	11,863,748	9	11,863,739	766	-	13,347,462	10,638,222
Spending in Departmental Expenditure Limits (DEL)									
<i>Central Government spending</i>									
A	Wales Office								
	3,922	-	-	3,922	9	3,913	766	5,142	4,222
Non-Budget									
B	Grant payable to the Welsh Consolidated Fund								
	-	-	11,859,826	11,859,826	-	11,859,826	-	13,342,320	10,634,000
Total for Estimate:									
530,663	1,791,405	38,633,093	40,955,161	571,616	40,383,545	167,735	33,000	40,086,883	35,244,536

Part II: Resource to cash reconciliation

	£'000		
	2007-08 Provision	2006-07 Provision	2005-06 Outturn
Net Resource Requirement	40,383,545	40,086,883	35,244,536
Voted capital items			
Capital	167,735	174,964	125,330
Less Non-operating A-in-A	33,000	5,700	9,735
Total net voted capital	134,735	169,264	115,595
Accruals to cash adjustment			
Adjustments to remove non-cash items:			
Cost of Capital charges	-147,082	-130,901	-62,318
Depreciation	-135,299	-114,749	-112,610
New provisions and adjustments to previous provisions	-	-50,000	-73,206
Profit/loss on sale of assets	-	-	3,000
Prior period adjustments	-	-	-
Other non-cash items	-62	-54	-2,681
Increase (+) / Decrease (-) in stock	-	-	-
Increase (+) / Decrease (-) in debtors	-	-	-
Increase (-) / Decrease (+) in creditors	-1,642	-1,642	-
Use of provisions	22,000	22,000	36,315
Total accruals to cash adjustments	-262,085	-275,346	-211,500
Excess cash to be CFERd	-	-	-
Net Cash Requirement	40,256,195	39,980,801	35,148,631

Part III: Extra receipts payable to the Consolidated Fund

In addition to appropriations in aid the following income relates to the Department and is payable to the Consolidated Fund (cash receipts being shown in italics):

	£'000					
	2007-08		2006-07		2005-06	
	Provision		Provision		Outturn	
	Income	<i>Receipts</i>	Income	<i>Receipts</i>	Income	<i>Receipts</i>
Operating income not classified as A in A	-	-	-	-	-	-
Non-operating income not classified as A in A	-	-	-	-	-	-
Other amounts collectable on behalf of the Consolidated Fund	244,373	<i>244,373</i>	244,373	<i>244,373</i>	244,685	<i>288,060</i>
Excess cash receipts to be surrendered to the Consolidated Fund	-	-	-	-	-	-
Total	244,373	<i>244,373</i>	244,373	<i>244,373</i>	244,685	<i>288,060</i>

Forecast Operating Cost Statement

	£'000		
	2007-08 Provision	2006-07 Provision	2005-06 Outturn
Net Administration Costs			
RfR 1	513,155	519,719	488,808
RfR 2	6,468	6,544	5,484
RfR 3	3,913	5,142	4,222
Total Net Administration costs	523,536	531,405	498,514
Net Programme Costs			
RfR 1	3,386,490	3,322,780	3,245,756
RfR 2	24,613,693	22,890,378	20,866,266
RfR 3	11,859,826	13,342,320	10,634,000
Non-voted	88,000	107,000	205,515
Total Net Programme costs	39,948,009	39,662,478	34,951,537
Total Net Operating Cost	40,471,545	40,193,883	35,450,051
<i>of which:</i>			
Net Resource Requirement	40,383,545	40,086,883	35,244,536
Non-voted expenditure	88,000	107,000	205,515
Consolidated Fund Extra Receipts	-	-	-
Resource Budget	3,782,327	3,844,315	3,439,624

Notes to the Main Estimate (*continued*)

Reconciliation of resource expenditure between Estimates, Accounts and Budgets

	£'000		
	2007-08	2006-07	2005-06
	Provision	Provision	Outturn
Net Resource Requirement (Estimates)	40,383,545	40,086,883	35,244,536
<i>Adjustments to remove:</i>			
Provision voted for earlier years	-	-	-
<i>Adjustments to additionally include:</i>			
Non-voted expenditure in the OCS	88,000	107,000	205,515
Consolidated Fund Extra Receipts in the OCS	-	-	-
Other adjustments	-	-	-
Net Operating Cost (Accounts)	40,471,545	40,193,883	35,450,051
<i>Adjustments to remove:</i>			
Gains / losses from sale of capital assets	-	-	3,000
Capital grants	-	-10,800	-441
European Union income related to capital grants	-	-	-
Voted expenditure outside the budget	-36,473,219	-36,232,398	-31,499,990
<i>Adjustments to additionally include:</i>			
Other Consolidated Fund Extra Receipts	-	-	-
Resource consumption of non departmental public bodies	-215,999	-106,370	-512,928
Unallocated resource provision	-	-	-
Other adjustments	-	-	-68
Resource Budget (Budget)	3,782,327	3,844,315	3,439,624
<i>of which:</i>			
Departmental Expenditure Limits (DEL)	3,782,327	3,844,315	3,439,624
Annually Managed Expenditure (AME)	-	-	-

Reconciliation of capital expenditure between Estimates and Budgets

	£'000		
	2007-08	2006-07	2005-06
	Provision	Provision	Outturn
Net Voted Capital (Estimates)	134,735	169,264	115,595
<i>Adjustments to additionally include:</i>			
Other Consolidated Fund Extra Receipts	-	-	-
Capital spending by non-departmental public bodies	3,000	2,000	3,651
Capital grants	-	10,800	441
European Union income related to capital grants	-	-	-
Supported capital expenditure (revenue)	-	-	-
Capital spending by levy funded bodies	-	-	-
Unallocated capital provision	-	-	-
Other adjustments	-	-	68
Capital Budget (Budget)	137,735	182,064	119,755
<i>of which:</i>			
Departmental Expenditure Limits (DEL)	137,735	182,064	119,755
Annually Managed Expenditure (AME)	-	-	-

Notes to the Main Estimate (*continued*)

Explanation of Accounting Officer responsibilities

In accordance with the Government Resources and Accounts Act 2000 the Treasury has made the following

- Request for Resources 1:** Alex Allan, Permanent Head of Department
- Request for Resources 2:** Jim Wildgoose, Head of Scotland Office
- Request for Resources 3:** Alan Cogbill, Head of Wales Office

Alex Allan as the Principal Accounting Officer of the Department for Constitutional Affairs has personal responsibility for the proper presentation of the department's resource accounts as prescribed in legislation, or by the Treasury, and their transmission to the Comptroller and Auditor General. The PAO as the permanent head, remains in general overall charge of the Department for Constitutional Affairs.

The responsibilities of an Accounting Officer are set out in Annex 4.1 of Government Accounting. In essence these responsibilities include a personal responsibility for the propriety and regularity of the public finances for which they are answerable; for keeping of proper accounts; for prudent and economical administration; for the avoidance of waste and extravagance; and for the efficient and effective use of all the available resources. In addition, the Accounting Officer must ensure that there is a sound system of internal control to support the achievement of the organisation's policies, aims and objectives and should regularly review the effectiveness of that system.

In accordance with Government Accounting requirement the relationship between the Principal Accounting Officer and the Additional Accounting Officer(s) and with their Ministers, together with their respective responsibilities, is set out in writing.

Notes to the Main Estimate (*continued*)

Analysis of operating appropriations in aid (A in A)

£'000

	2007-08 Provision	2006-07 Provision	2005-06 Outturn
RfR 1: To promote the development of a modern, fair, cost effective and efficient system of justice for all			
Administration	6,153	9,904	9,287
<i>of which:</i>			
Sale of goods and services	6,153	9,904	9,287
Programme	564,489	652,029	556,350
<i>of which:</i>			
Sale of goods and services	564,489	652,029	556,350
Total RfR 1	570,642†	661,933	565,637
<i>† Amount that may be applied as operating appropriations in aid in addition to the net total arising from: civil court fees; fees charged by the Public Trustee and the Court of Protection; recoveries from the National Investment and Loans Office for the cost of administering funds in court; recovery from the investment managers for the cost of administering the Commons Investment Schemes; recoveries for research and recommendation work undertaken by the Law Commission; recoveries by the Official Solicitor pursuant to his duties under the Supreme Court Act 1981 and Public Trustee Act 1906; fees charged by the Lands Tribunal, recoveries from the National Insurance Fund for the cost of Social Security Commissioners; fees from the Land Registry; receipts relating to the Land Registry Adjudicator; income from National Insurance Fund in relation to the Tribunals Appeals Service; fees relating to the Office of the Information Commissioner; fees from nursery facilities and other fees; charges and receipts received; sale of publications; reimbursements from the ARAMIS PFI supplier of the costs of seconded staff and banking charges; receipts from rents; service charges and site usage; recovery for magistrates' courts accommodation; contributions paid by legally aided defendants in the higher courts; receipts of VAT refunds on contracted out services; judicial superannuation contributions; receipts from the European Commission; receipts from the Financial Services and Markets Tribunal; receipts under the New Deal Scheme; receipts from Wider Markets Initiatives; receipts from Royal Licences; receipts from the Judicial Pensions supply Estimate to fund administrative costs; recovery of costs from Twinning projects; recovery of costs relating to the Hunting Bill; receipts in relation to Enforcement Improvement schemes; receipts in relation to the devolution Service Level Agreement; receipts in relation to by-election funding; receipts in relation to the use of DDJs as prison adjudicators; receipts in relation to Legal Services Complaints Commission; receipts in relation to Claims Management Regulation; receipts in relation to Scotland Office secondees; receipts in relation to Data Protection enquiries; and income arising from Machinery of Government changes.</i>			
RfR 2: Overseeing the effective operation of the devolution settlement in Scotland and representing the interests of Scotland within the UK Government			
Administration	965	965	955
<i>of which:</i>			
Sale of goods and services	965	965	955
Total RfR 2	965†	965	955
<i>† Amount that may be applied as operating appropriations in aid in addition to the net total arising from: receipts in respect of rent, payments from other departments for legal services and other receipts.</i>			
RfR 3: To support the Secretary of State in discharging his role of representing Wales in the UK Government, representing the UK Government in Wales and ensuring the smooth working of the devolution settlement in Wales			
Administration	9	9	14
<i>of which:</i>			
Sale of goods and services	9	9	14
Total RfR 3	9†	9	14
<i>† Amount that may be applied as operating appropriations in aid in addition to the net total arising from: income from rent for use of accommodation in Gwydyr House by the National Assembly of Wales.</i>			
Total Operating A in A	571,616	662,907	566,606

Analysis of non-operating appropriations in aid (A in A)

£'000

	2007-08 Provision	2006-07 Provision	2005-06 Outturn
RfR 1: To promote the development of a modern, fair, cost effective and efficient system of justice for all			
Administration	-	-	-169
<i>of which:</i>			
Sale of assets	-	-	-169
Programme	33,000	5,700	9,904
<i>of which:</i>			
Sale of assets	33,000	5,700	9,904
Total RfR 1	33,000†	5,700	9,735
<i>† Amount that may be applied as non-operating appropriations in aid, arising from: the disposal of land, buildings and surplus equipment.</i>			
Total Non-Operating A in A	33,000	5,700	9,735

Notes to the Main Estimate (*continued*)

Analysis of Consolidated Fund extra receipts

	£'000					
	2007-08		2006-07		2005-06	
	Provision		Provision		Outturn	
	Income	Receipts	Income	Receipts	Income	Receipts
Magistrates Courts ●	244,373	244,373	244,373	244,373	244,560	288,060
Loan charges received from Dyfed-Powys in respect of Cleddau Bridge ●	-	-	-	-	125	-
Total	244,373	244,373	244,373	244,373	244,685	288,060

Notes to the Main Estimate (*continued*)

Departmental Expenditure Limits and Administration budgets

	£'000		
	Voted	Non-voted	Total
Resource DEL	1,750,527	2,031,800	3,782,327
<i>of which: †</i>			
Administration budget	523,536	-	523,536
Near-cash in RDEL	1,467,964	2,266,799	3,734,763
Capital DEL ††	134,735	3,000	137,735
Less Depreciation †††	-135,299	-1	-135,300
Total DEL	1,749,963	2,034,799	3,784,762

† The total of the 'Administration Budget' and 'Near-cash in Resource DEL' figures may well be greater than total resource DEL, due to the definitions overlapping.

†† Capital DEL includes items treated as resource in Estimates and accounts but which are treated as Capital DEL in budgets.

††† Depreciation, which forms part of resource DEL, is excluded from total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

Comparison of provision sought with final provision and forecast outturn for the previous year

The total net resource sought for 2007-08 of £40,383,545,000 is 0.7 per cent higher than the final net provision for 2006-07 of £40,086,883,000 and 1.3 per cent higher than the forecast outturn for 2006-07 of £39,853,522,000.

Cash which may be retained to offset expenditure

	£'000		
	2007-08 Provision	2006-07 Provision	2005-06 Outturn
Cash which may be retained by the department to offset expenditure in the year due to its relationship with income (operating and non-operating) that has been, or will be, appropriated in aid.	604,616	668,607	576,341